

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: Request for minimum rear yard setback from 10 feet to 2 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Ronald Terrell, applicant).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED

BY: Kathy Fall **CONTACT:** Michael Rumer **EXT.** 7387

Agenda Date 10/24/05 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** Request minimum rear yard setback variance from 10 feet to 2 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Ronald Terrell, applicant); or
2. **DENY** Request minimum rear yard setback variance from 10 feet to 2 feet for an existing shed in the R-1AA (Single-Family Dwelling District); (Ronald Terrell, applicant); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	APPLICANT: Ronald Terrell LOCATION: 2101 Terrace Boulevard ZONING: R-1AA (Single-Family Dwelling District)
BACKGROUND/REQUEST	<ul style="list-style-type: none"> • The applicant constructed a 10'x20' shed without a building permit; a notice of violation from the Seminole County Building Division was subsequently issued on 8/09/05. • The unpermitted shed encroaches 8 feet into the minimum 10 foot rear yard setback. • There is no record of prior variances having been granted for this property.
STAFF FINDINGS	The applicant has failed to satisfy the criteria for the grant of a variance. Staff has determined that:

	<ul style="list-style-type: none">• The shed could have been built to comply with the code or could be relocated to negate the need for a variance.• No special circumstances applicable to the property or proposed addition have been demonstrated.
STAFF RECOMMENDATION	<p>Based on the proposed site plan and the representations of the applicant, staff recommends the Board of Adjustment deny the requested variance. If the board should decide to grant a variance, staff recommends the following conditions:</p> <ul style="list-style-type: none">• Any variance granted should apply only to the existing shed as depicted on the attached site plan; and• Any additional conditions deemed appropriate by the board, based on information presented at the public hearing.



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION
1101 EAST FIRST STREET
SANFORD, FL 32771
(407) 665-7444 PHONE (407) 665-7385 FAX

COPY

APPL. NO. BV 2005-139

APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division. Applications for SPECIAL EXCEPTION shall only be received for processing following pre-application conference.

APPLICATION TYPE:

- ☐ **VARIANCE** Rear yard set back from 10 ft to 2 ft
for existing shed: (10x20)
- ☐ **SPECIAL EXCEPTION**
- ☐ **LIMITED USE**
- ☐ SF DWELLING UNDER CONSTRUCTION ☐ MEDICAL HARDSHIP
- ☐ NIGHT WATCHMAN ☐ FAMILY HARDSHIP
- ☐ YEAR OF MOBILE HOME / RV (EXISTING _____) (PROPOSED _____)
- ☐ SIZE OF MOBILE HOME / RV _____ ☐ TIME NEEDED _____
- ☐ PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN _____
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

PROPERTY OWNER		AUTHORIZED AGENT *
NAME	<u>Ronald W. Terrell</u>	
ADDRESS	<u>2101 Terrace Blvd</u>	
	<u>Longwood FL 32779</u>	
PHONE 1	<u>Hm 407-772-8862</u>	
PHONE 2	<u>Cl. 407-927-9953</u>	
E-MAIL		

PROJECT NAME: Terrell Shed

SITE ADDRESS: 2101 Terrace Blvd Longwood FL 32779

CURRENT USE OF PROPERTY: Private Property (Resident)

LEGAL DESCRIPTION: _____

SIZE OF PROPERTY: 3/4 Just under 1 acre(s) PARCEL I.D. 04-21-29-506-0000-0060

UTILITIES: ☐ WATER ☒ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER _____

KNOWN CODE ENFORCEMENT VIOLATIONS Constructed shed in back
yard without a Permit

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on 10/24/05
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within this application are true and correct to the best of my knowledge.

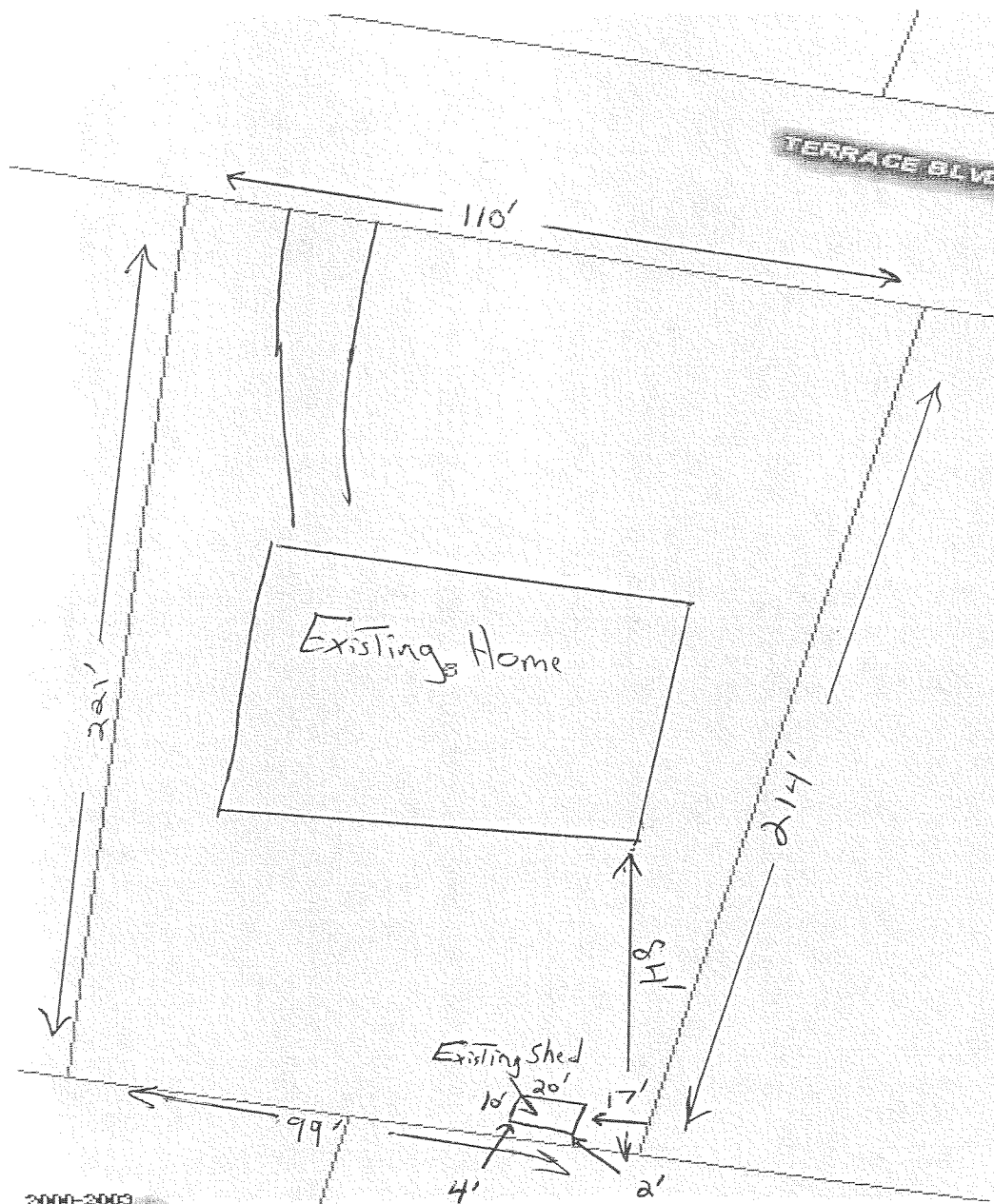
[Signature]
SIGNATURE OF OWNER OR AGENT*

Aug 22-05
DATE

* Proof of owner's authorization is required with submittal if signed by agent.

R-1AA

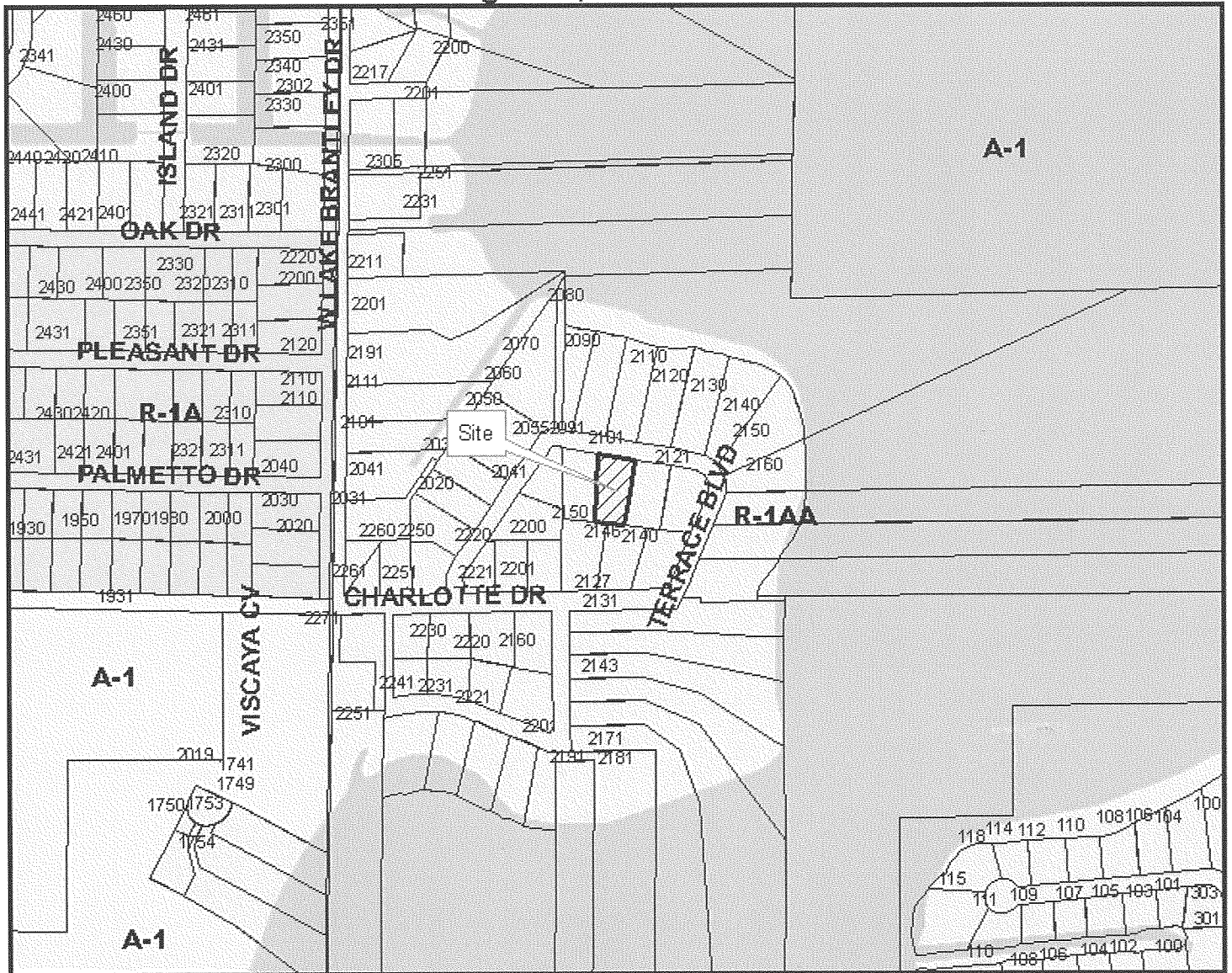
MR



Site Plan





PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																						
GENERAL Parcel Id: 04-21-29-506-0D00-0060 Owner: TERRELL RONALD W & DIANE L Mailing Address: 2101 TERRACE BLVD City,State,ZipCode: LONGWOOD FL 32779 Property Address: 2101 TERRACE BLVD LONGWOOD 32779 Subdivision Name: LLOYDS TERRACE 1ST ADD Tax District: 01-COUNTY-TX DIST 1 Exemptions: 00-HOMESTEAD Dor: 01-SINGLE FAMILY		2005 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$131,658 Depreciated EXFT Value: \$2,133 Land Value (Market): \$37,500 Land Value Ag: \$0 Just/Market Value: \$171,291 Assessed Value (SOH): \$151,576 Exempt Value: \$25,000 Taxable Value: \$126,576 Tax Estimator 2005 Notice of Proposed Property Tax																				
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>10/2000</td> <td>03944</td> <td>0572</td> <td>\$174,900</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>03/1978</td> <td>01161</td> <td>0712</td> <td>\$8,000</td> <td>Vacant</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision		Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	10/2000	03944	0572	\$174,900	Improved	WARRANTY DEED	03/1978	01161	0712	\$8,000	Vacant	2004 VALUE SUMMARY Tax Value(without SOH): \$2,148 2004 Tax Bill Amount: \$2,065 Save Our Homes (SOH) Savings: \$83 2004 Taxable Value: \$122,161 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS		
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																						

Ronald W. Terrell
2101 Terrace Boulevard
Longwood, FL 32779



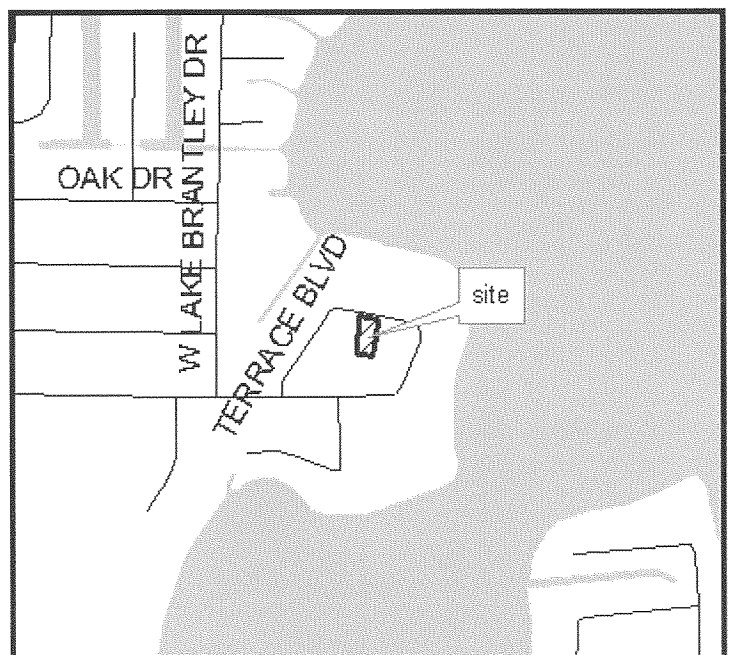
Seminole County Board of Adjustment
October 24, 2005
Case: BV2005-139
Parcel No: 04-21-29-506-0D00-0060

Zoning

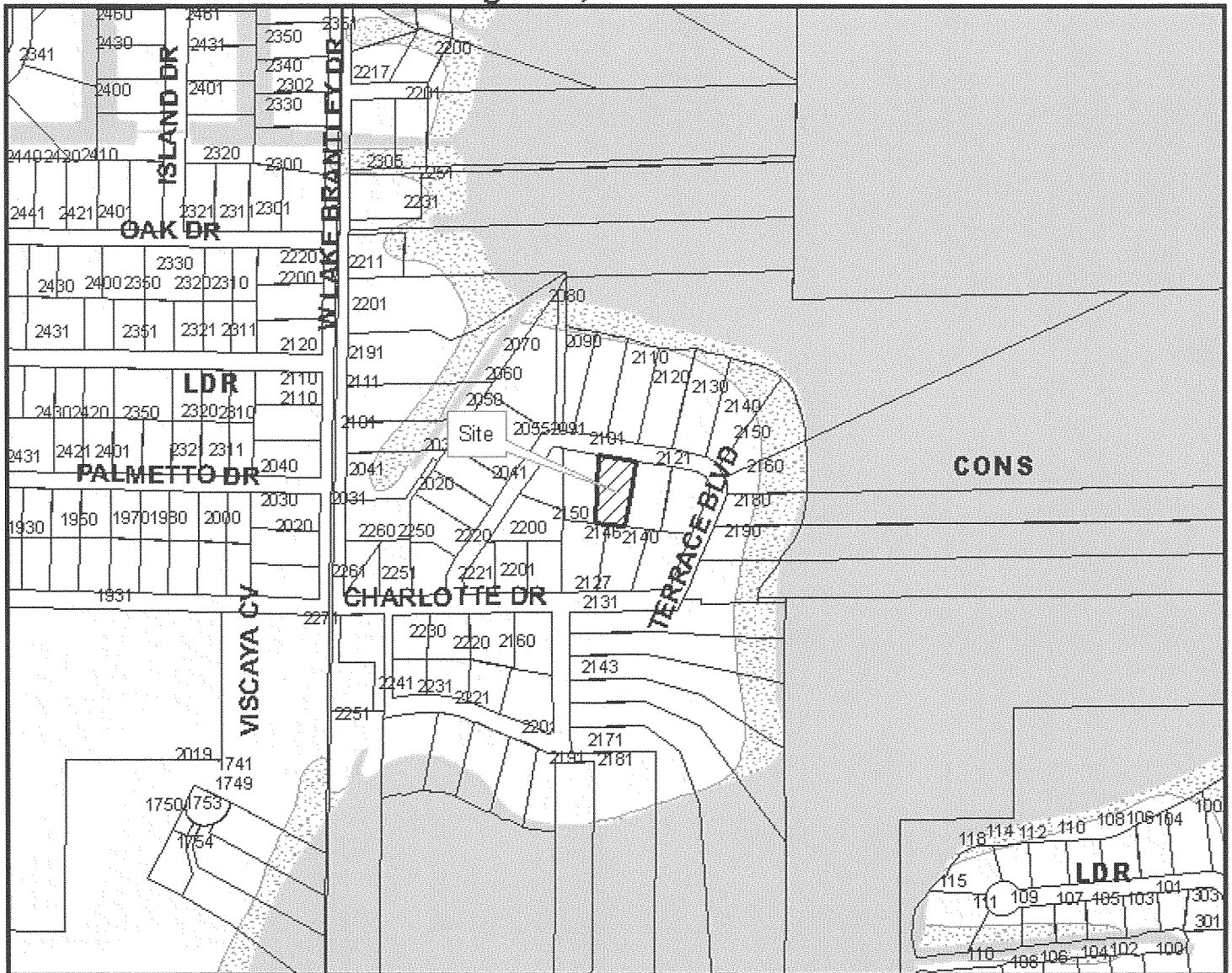
-  A-1 Agricultural-1Ac
-  R-1AA Single Fam-11700
-  R-1A Single Fam-9000
-  BV2005-139



087.575 350 525 700 Feet


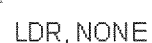



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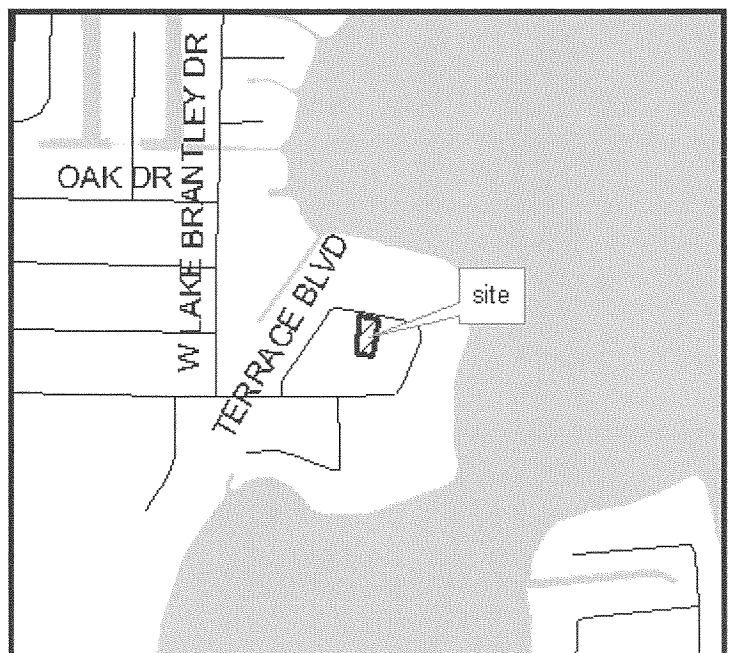
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Future Land Use

-  CONS, LDR
-  LDR, NONE
-  BV2005-139



0 87.5 175 350 525 700 Feet



To the neighbors and home owner association of 2101 Terrace Blvd. This letters purpose is to ask you for a variance on the ten-foot lot line rule, for a shed that I have constructed in my yard. At present it is not ten feet off my back lot line, this is the variance I am asking you for. If you do not have a problem with this I would ask you to please sign this letter so I may present it to the city to help obtain this variance. Thank you for your support.

1

MIKE PENLAND 2111 TERRACE BLVD.

2

RICHARD PETRUS 2081 TERRACE BLVD.

ALFRED M. CULBERTSON

3

ALFRED M. CULBERTSON

2158 CHARLOTTE DRIVE

4

M. J. J. J.

2090 TERRACE BLVD Longwood FL

5

L. B. J.

2110 JENSEN BL Longwood, FL 32779

6

G. J. J.

2200 Charlotte Dr Longwood
32779

7

W. J. J.

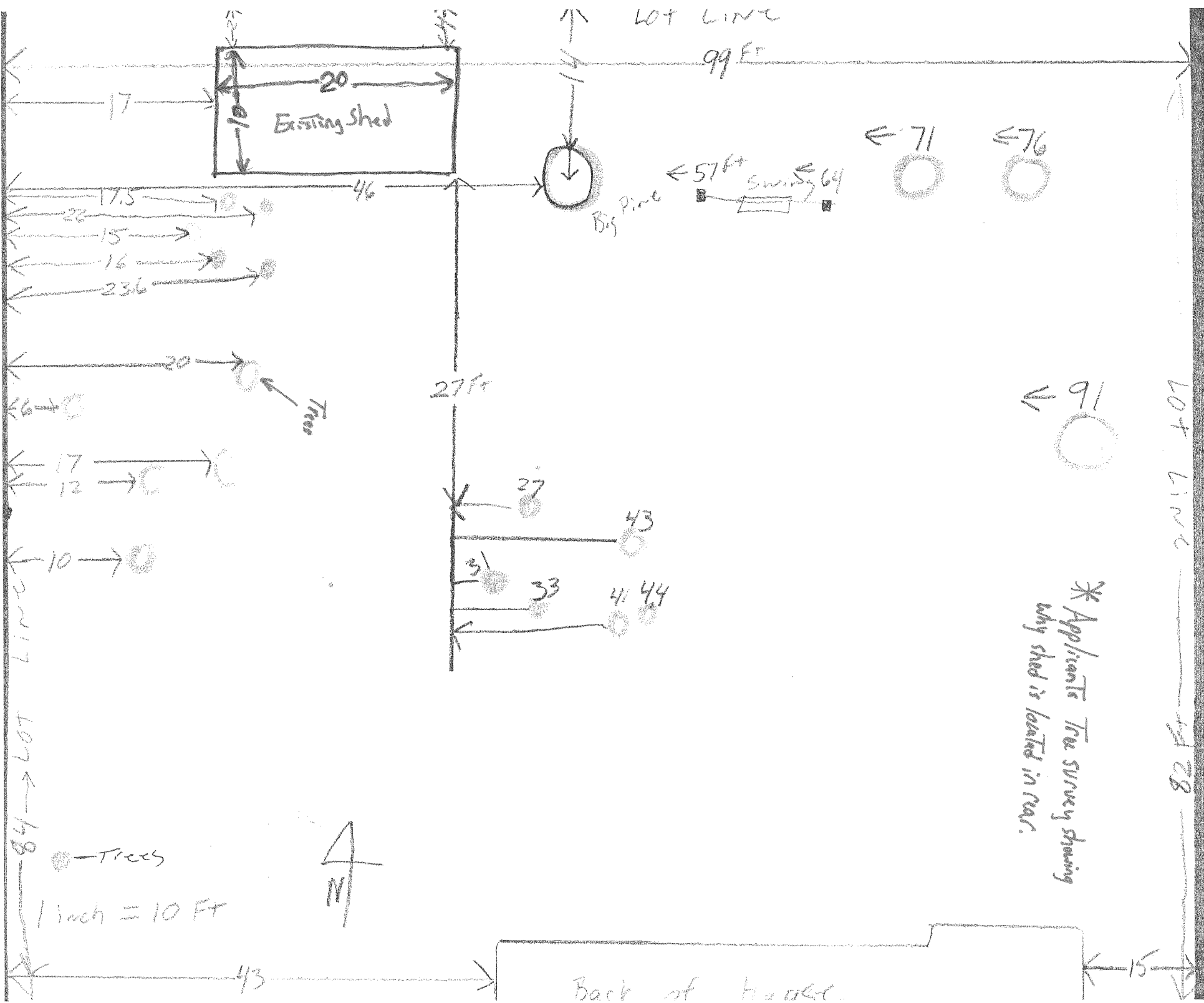
2140 Charlotte Dr Longwood 32779

8

9

10

Tree Plan



*Applicants Tree survey showing why shed is located in rear.

NOTICE OF CODE VIOLATION

LOCATION OF VIOLATION:

2101 TENNICE Road

IN ACCORDANCE WITH SEMINOLE COUNTY CODES YOU ARE HEREBY NOTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS IN VIOLATION OF FLORIDA Building Code CHAPTER/ARTICLE 11.1 SECTION 104.

DESCRIPTION OF VIOLATION:

Exhausted - hot in racks
and without a permit

CORRECTIVE ACTION:

Obtain all proper permits and
Schedule all required inspections

THE ABOVE CORRECTIVE MEASURES MUST BE TAKEN BY

9-23-05

FAILURE TO CORRECT THE ABOVE VIOLATION WILL RESULT IN THE MATTER BEING TURNED OVER TO THE CODE ENFORCEMENT BOARD FOR FURTHER ACTION. THE CODE ENFORCEMENT BOARD HAS THE AUTHORITY TO LEVY FINES UP TO \$250.00 A DAY FOR EVERY DAY THE VIOLATION EXISTS.



IF CHECKED, A LICENSE REVOCATION HEARING WILL BE SCHEDULED FOR APPLICABLE CONTRACTOR VIOLATIONS.



For further information contact:

**Building and Fire Inspection Division
Seminole County Services Building
1101 East First Street, Room 1020
Sanford, FL 32771
PHONE: (407) 665-7338 OR (407) 665-7423**

Tom H-11

DATE:

9-9-05

INSPECTOR:

Iron Buckle 407-665-7423

CASE NO:

25-209

SEMINOLE COUNTY DEVELOPMENT ORDER

On October 24, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG LOT 6 BLK D LLOYDS TERRACE 1ST ADD PB 9 PG 22

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: RONALD TERRELL
2101 TERRACE BLVD
LONGWOOD, FL 32779

Project Name: TERRACE BLVD (2101)

Requested Development Approval:

REQUEST FOR MINIMUM REAR YARD SETBACK VARIANCE FROM 10 FEET TO 2 FEET FOR AN EXISTING SHED IN THE R-1AA (SINGLE-FAMILY DWELLING DISTRICT)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Michael Rumer, Planner
1101 East First Street
Sanford, Florida 32771

Order

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

- (1) The aforementioned application for development approval is **GRANTED**.
- (2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
- (3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:
 1. ANY VARIANCE GRANTED SHALL APPLY ONLY TO THE EXISTING SHED AS DEPICTED ON THE ATTACHED SITE PLAN.
- (4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.
- (5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Tony Walter
Planning Manager

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: